

NOV 06 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

DIVISION

U.S. DISTRICT COURT
MID. DIST. TENN.

<u>Maurice A. Bradford</u>)	
(Name))	
<u>47074</u>)	
(Prison Id. No.))	
)	
)	
(Name))	
)	
(Prison Id. No.))	Civil Action No. _____
)	(To be assigned by the Clerk's Office.
Plaintiff(s))	Do not write in this space.)
)	
v.)	JURY TRIAL REQUESTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
)	
<u>Sherriff Foley</u>)	
(Name))	
<u>TDCC Commissioner Tony C. Barker</u>)	
(Name))	
)	
Defendant(s))	

(List the names of all the plaintiffs filing
this lawsuit. Do not use "et al." Attach
additional sheets if necessary.)

Civil Action No. _____
(To be assigned by the Clerk's Office.
Do not write in this space.)

JURY TRIAL REQUESTED ☒ YES ☐ NO

(List the names of all defendants
against whom you are filing this
lawsuit. Do you use "et al." Attach
additional sheets if necessary.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS FILED
PURSUANT TO 42 U.S.C. § 1983

I. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: MAURICE A. BRADFORD
Prison I.D. No. of the first plaintiff: 47074
Address of the first plaintiff: MONTGOMERY COUNTY JAIL
116 Commerce St. Clarksville, TN. 37040

Status of Plaintiff: CONVICTED (☒) PRETRIAL DETAINEE (☐)

2. Name of the second plaintiff: _____
Prison I.D. No. of the second plaintiff: _____
Address of the second plaintiff: _____

Status of Plaintiff: CONVICTED (☐) PRETRIAL DETAINEE (☐)

(Include the name of the institution and mailing address with zip code for each plaintiff. If any plaintiff changes his or her address, he or she must notify the Court immediately. If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.)

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: Sheriff Foley
 Place of employment of the first defendant: Montgomery County Sheriff's department
 First defendant's address: 116 Commerce St. Clarksville, TN 37040

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

2. Name of the second defendant: Commissioner of TDOC Tony C. Parker
 Place of employment of the second defendant: Tennessee Department of Corrections
 Second defendant's address: 320 Sixth Ave North, Nashville, TN 37243-0465

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

(If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, his or her place of employment, address, and the capacity in which you are suing that defendant. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide each defendant's proper name, place of employment, and address, the Clerk will be unable to serve that defendant should process issue.)

II. JURISDICTION

- A. Jurisdiction is asserted pursuant to 42 U.S.C. § 1983 (applies to state prisoners). Jurisdiction is also invoked pursuant to 28 U.S.C. § 1343(a)(3).

If you wish to assert jurisdiction under different or additional statutes, you may list them below:

Defendant

continued from 1 (B)

NAME of Third Defendant: MS. Whitehead (TDOC LIASON)

Place of employment of the Third defendant: Montgomery County Jail

Third defendant Address: 116 Commerce st. Clarksville, TN. 37040

NAMED in official Capacity ☒ Yes ☐ NO

NAMED in individual Capacity ☒ Yes ☐ NO

III. PREVIOUS LAWSUITS (The following information must be provided by each plaintiff.)

A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuit(s) in the United States District Court for the Middle District of Tennessee, or in any other federal or state court? ☒ Yes ☐ No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to the previous lawsuit:

Plaintiffs MAURICE A. Bradford

Defendants Officer Moody / Vigo County Jail

2. In what court did you file the previous lawsuit? Federal Court
EVANSVILLE, IN
(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? N/A

4. What was the Judge's name to whom the case was assigned? N/A

5. What type of case was it (for example, habeas corpus or civil rights action)?
Civil Rights Action

6. When did you file the previous lawsuit? (Provide the year, if you do not know the exact date.) 2009

7. What was the result of the previous lawsuit? For example, was the case dismissed or appealed, or is it still pending? Dismissed

8. When was the previous lawsuit decided by the court? (Provide the year, if you do not know the exact date.) 2009

9. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit? ☐ Yes ☒ No

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

IV. EXHAUSTION

A. Are the facts of your lawsuit related to your present confinement?

☒ Yes ☐ No

B. If you checked the box marked "No" in question III.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain. _____

C. Do the facts of your lawsuit relate to your confinement in a Tennessee state prison?

☐ Yes ☒ No

(If you checked the box marked "No," proceed to question IV.G. If you checked the box marked "Yes," proceed to question IV.D.)

D. Have you presented these facts to the prison authorities through the state grievance procedure? ☒ Yes ☐ No

E. If you checked the box marked "Yes" in question III.D above:

1. What steps did you take? _____

2. What was the response of prison authorities? _____

F. If you checked the box marked "No" in question IV.D above, explain why not. _____

G. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)? ☒ Yes ☐ No

H. If "Yes" to the question above, have you presented these facts to the authorities who operate the detention facility? ☒ Yes ☐ No

I. If you checked the box marked "Yes" in question III.H above:

1. What steps did you take? The Grievance Procedure and Appeal Process

2. What was the response of the authorities who run the detention facility? _____

I was told "That's why inmates furlough out to re-habs"

- J. If you checked the box marked "No" in question IV.H above, explain why not. _____

V. CAUSE OF ACTION

Briefly explain which of your constitutional rights were violated:

The lack of educational and Re-hab programs in a TDOC Facility, Housing State Inmates for entire sentences, and being housed with County and Pre-trial detainees, violates the 8th and 14th Amendments

VI. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8 ½ inch x 11 inch paper. Write on one side only, and leave a 1-inch margin on all 4 sides.

On October 15, 2017 I filed a grievance on the T.D.O.C. Liaison Ms. Whitehead in regards to the lack of programs being enforced in this T.D.O.C. Facility. On October 17, 2017, Ms. Whitehead told me in person that her and Sheriff Foley have been "Talking" about getting programs in place. The T.D.O.C. Liaison means that she is the person placed at the facility by Commissioner Tony C. Parker to enforce such programs. At the current time sixty-one State Inmates are being forced to complete sentences and meet Parole Boards without any progress toward a certificate or possible time cuts offered by programs in Prison, Violating 14th Amendment to due Process. Since the Liaison, Ms. Whitehead is the Commissioner on site designee, he must be held accountable for her lack of action as well. As well as Sheriff Foley, considering it is the Sheriff's Department.

Montgomery County Sheriffs Department has been
A T.D.O.C. Facility for or about six (6) years.
I cannot even give an estimate of how many State
Inmates have served their entire sentence
without any assistance in education, without any
assistance with substance abuse, or any other
special needs programs set in place for the Inmate.
Tennessee State Prisons offer State Inmates
A variety of programs that offer time cuts upon
completion, but more importantly they offer infor-
mation and certificates that will help that individual
with better decision making skills, and a higher possibility
on obtaining employment. To deny a person these
opportunities because of prison over-crowdedness
is cruel and unusual punishment, in which the
people are protected from through the eighth
Amendment of the Constitution of the United
States of America. Therefore, Sheriff Foley,
T.D.O.C. Liaison Ms. Whitehead, and Commissioner
of T.D.O.C. Tony C. Parker having knowledge
of this violation, should and will be held
accountable.

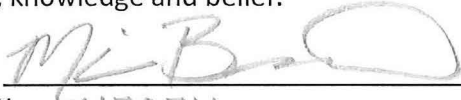
VII. **RELIEF REQUESTED:** State exactly what you want the Court to order each defendant to do for you.

Considering the magnitude of the situation, I AM requesting this Honorable Court to impose Punitive Damages on the Sheriff's Department in the amount of \$610,000. I AM Requesting that this Honorable Court impose Punitive Damages on Tennessee Department of Corrections Commissioner Tony C. Parker in the amount of \$1,000,000. I'm requesting this Honorable Court to order Ms. Whitehead to resign as T.D.O.C. Liason.

I request a jury trial. ☒ Yes ☐ No

VIII. **CERTIFICATION**

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) information, knowledge and belief.

Signature:  Date: 11-01-17
 Prison Id. No. 47074
 Address (Include the city, state and zip code.): 116 Commerce Street
Clarksville, TN. 37040

Signature: _____ Date: _____
 Prison Id. No. _____
 Address (Include the city, state and zip code.): _____

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information requested above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT AND (1) THE REQUIRED FILING FEE OR (2) COMPLETED APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES AND COSTS TOGETHER.

Complaints received without the required filing fee or application to proceed without prepayment of fees will be returned. Filing fees and applications to proceed without prepayment of fees submitted without a complaint will be returned.

MAURICE A. Bradford #47074
Montgomery County Jail
116 Commerce Street
CLARKSVILLE, TN. 37040

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11/03/2017

U.S. POSTAGE

FIRST CLASS MAIL

\$01.40⁰²



ZIP 37040
011D11634783

RECEIVED
IN CLERK'S OFFICE

NOV 06 2017

U.S. DISTRICT COURT
MID. DIST. TENN.

Clerk, U.S. District Court
U.S. Courthouse Room 800
Nashville, Tennessee 37203

LEGAL MAIL